

#21
LCA
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Lars GULLBERG

Patent No: 6,039,497

Issued: March 21, 2000

For: METHOD FOR COUPLING AND A COUPLING
DEVICEREQUEST FOR RECONSIDERATION OF DENIAL OF
REQUEST FOR CERTIFICATE OF CORRECTIONAssistant Commissioner for Patents
Washington, D.C. 20231

Attention: Decisions & Certificates of Correction Branch

Sir:

The request for a certificate of correction has been denied on the ground that the errors at column 4, lines 31 and 40 are simply a matter of renumbering of claims and are permitted under MPEP 1302.04. MPEP 1302.04 relates to examiner's amendments and changes and draws a distinction between an informal examiner's amendment, which is made simply by marking up the application, and a formal examiner's amendment, which is a separate paper that is signed by the examiner, placed in the file, and a copy sent to the applicant. Under MPEP 1302.04, an informal examiner's amendment may be used for correction of obvious errors and omissions. Under MPEP 1302.04, amendment of claims by formal examiner's amendment is permitted when passing an application to issue where these changes have been authorized by applicant. The examiner may not make changes in a claim dependency by informal examiner's amendment except for correction of an obvious error.

There has been no formal examiner's amendment in this case. The changes made in the dependencies of issued claims 5 and 7, rendering those claims dependent on claim 4 when they should be

dependent on claim 1, made a substantive change in the scope of claims 5 and 7, such that an article that would have been covered by claim 5 (or 7), when properly dependent on claim 1, might not be covered by claim 5 (or 7) when dependent on claim 4. In the circumstances, the change in dependency of the issued claims 5 and 7 should not have been made without applicant's consent.

In view of the foregoing, it is requested that the decision denying the request for a certificate of correction should be reconsidered and withdrawn and that a certificate of correction should be issued. In the event that the Decisions & Certificates of Correction Branch should determine that the request for reconsideration should be denied, it is requested that this request for reconsideration should be treated as a petition and referred to the supervisory patent examiner under MPEP 1002.02(d).

Respectfully submitted,


John Smith-Hill
Reg. No. 27,730

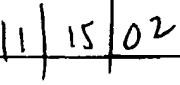
SMITH-HILL & BEDELL, P.C.
12670 NW Barnes Road, Suite 104
Portland, Oregon 97229

Tel. (503) 574-3100
Fax (503) 574-3197
Docket: AWEK 1568

Certificate of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.


John Smith-Hill


Date 11/15/02

Smith-Hill and Bedell, P.C.

PATENT AND TRADEMARK LAWYERS

12670 NW Barnes Rd., Suite 104
Portland, Oregon 97229
Telephone: (503) 574-3100
Facsimile: (503) 574-3197

John Smith-Hill

Daniel J. Bedell

RECONSIDERATIONFACSIMILE COVER SHEETTo: Decisions & Certificates
of Correction Branch

From: John Smith-Hill

Firm: US PATENT AND
TRADEMARK OFFICE

Date: November 15, 2002

Fax: 1-703-308-6672

Our ref: AWEK 1568

Your ref: 6,039,497

Pages: Cover + 2